UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/086,009	02/27/2002	Alan Rubinstein	3720.US.P	1061

56436 7590 11/16/2006		EXAMINER	
3COM CORPORATION		JEAN GILLES, JUDE	
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MARLBOROUGH, MA 01752-3064		ART UNIT	PAPER NUMBER
		2143	

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 October 2006</u>.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-8,10-14 and 21-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>27 February 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This Action is in regards to the Reply received on 10/03/2006.

Response to Amendment

1.   This action is responsive to the application filed on 08/31/2005. Claims 1-26 are pending in the application. Claims 1, 3-8, t0, and 12-20 are rejected. Claims 2, 9, and 11 are objected to. Claims 21-26 are allowed. Claims t, 8 and 1 t are amended herein. Claims 2, 9, and 15-20 are cancelled. Claims 1, 3-8, 10-14, 21-26 are pending. Claims 1-18 represent a method and apparatus for "SECURE NETWORK OUTLET FOR SUPPORTING IP DEVICE ADDRESS ASSIGNING FUNCTIONALITY."

Response to Arguments

2.   Applicant's arguments with respect the allowance of the claim subject matter have been carefully considered, but are not deemed fully persuasive.

Claims 1 and 8 are amended to incorporate the limitations of allowable claims 2 and 9, respectively. Clam 11 is amended to depend from claim 8.

The current invention discloses a secure network outlet also called and intelligent data concentrator, for supporting IP device address assigning functionality. A network access request is received from an electronic device communicatively coupled to intelligent hardware. In the Office action dated 09/25/2006, the Examiner's disposition of claims were as follow: claims 21-26 were allowed; claims 1, 3-8, 10, and 12-20 were

rejected under 35 USC paragraph 103 (a) for being obvious under Bathia(US Patent

No. 6,028,848 in combination with Addy (US patent No. 6,288,639 B1).

The disposition of the claims have been withdrawn after carefull consideration

based on updated search and new prior art teachings of Henry et al (US Patent No.

7,058,059 B1 heareinafter Henry). Henry teaches a method and system similar the

invention. Henry discloses "A method and apparatus to enable IP networking for

mobile hosts without requiring changes to be made to the TCP/IP stack in the

operating system installed on the mobile hosts. The apparatus is an "intelligent device"

that can be installed on or connected to a mobile host, and may comprise a software-

only logical module, physical hardware, or a combination of both. To a mobile host, the

intelligent device emulates a network interface such as an Ethernet card or a telephone

modem. The intelligent device appears to an access network just like any regular IP

host connected to the access network through a physical network interface device.

The intelligent device handles all mobile networking functions for the mobile host...

The indicated allowability of claims 2, and 9, and the allowance of claims 21-26

arewithdrawn in view of the newly discovered reference to Henry. Rejections based on

the newly cited reference(s) follow.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.   Claim 1, 3-8, 10-14, and 21-26 is rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

Claim 16, recites the phrase "*said intelligent hardware comprises*" in line 16.

There is no antecedent basis for this limitation in the claim.

Appropriate correction is required. The above noticed problems are just

exemplary. Applicant is required to totally check the application for error and correct the

same.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Henry.

Regarding **claim 1**, Henry discloses a method for performing device address assigning

functionality in an intelligent data concentrator, said method comprising:

receiving a network access request from a client device

communicatively coupled to said intelligent data concentrator (column 8, lines 35-43);

transmitting a device address request to an Ethernet local area network

(LAN) server communicatively coupled to said intelligent data concentrator (column 9,

lines 4-53);

receiving a first device address from said Ethernet LAN server

communicatively coupled to said intelligent data concentrator (column 9, lines 4-53);;

and

assigning a second device address to said client device

communicatively coupled to said intelligent data concentrator (column 9, lines 4-53);

wherein said intelligent data concentrator is configured to be mounted

internally within a wall such that a user-accessible surface of the intelligent

data concentrator is external to and substantially planar with an exterior

surface of the wall to provide direct access to said intelligent data

concentrator (fig. 2, item 202; and

wherein said intelligent hardware comprises:

a first interface for communicatively coupling said intelligent

hardware to a network, said network comprising said Ethernet LAN

server (column 11, lines 3-25);

a second interface for communicatively coupling said

intelligent hardware to a plurality of said client devices such that each

said client device is communicatively coupled to said Ethernet LAN (column 11,

lines 3-25);

a processor coupled to said first interface and said second interface (column 7,

lines 33-46; fig. 2, items 202, and 204);

and

a device address retriever coupled to said processor (fig. 2, iten 202, 204, and

208).

Regarding **claim 3**, Henry discloses a method as recited in Claim 1 wherein said first

device address and said second device address are IP addresses (column 8, lines 7-

30; column 9, lines 4-53).

Regarding **claim 4**, Henry discloses a method as recited in Claim 1 wherein said

Ethernet LAN server comprises a DHCP server (column 10, lines 5-12).

Regarding **claim 5**, Henry discloses a method as recited in Claim 1 wherein said first

device address is the same as said second device address (column 8, lines 7-30;

column 9, lines 4-53).

Regarding **claim 6**, Henry discloses a method as recited in Claim 1 wherein said first

device address is a global device address (column 8, lines 7-30; column 9, lines 4-53).

Regarding **claim 7**, Henry discloses a method as recited in Claim 1 wherein said

second device address is a private device address (column 8, lines 7-30; column 9,

lines 4-53).

Regarding **claim 8**, Henry discloses a A method for performing device address

assigning functionality in an intelligent data concentrator, said method comprising:

receiving a network access request from a client device

communicatively coupled to said intelligent hardware, said intelligent data

concentrator having a first device address, wherein said intelligent data

concentrator is configured to be mounted internally within a wall such that a

user-accessible surface of the intelligent data concentrator is external to and

substantially planar with an exterior surface of the wall to provide direct

access to said intelligent data concentrator (column 8, lines 35-43; column 9, lines 4-

53 column 11, lines 3-25); and

assigning a second device address to said client device

communicatively coupled to said intelligent data concentrator, such that said

intelligent data concentrator eliminates the need for a separate device

address assigning server and

wherein said intelligent data concentrator comprises:

a first interface for communicatively coupling said intelligent

data concentrator to an Ethernet local area network (LAN);

a second interface for communicatively coupling said

intelligent data concentrator to a plurality of said client devices such

that each said client device is communicatively coupled to said

Ethernet LAN;

a processor coupled to said first interface and said second

interface; and

a device address assignor coupled to said processor (column 7, lines 33-46;

lines 4-53 column 11, lines 3-25; fig. 2, items 202, and 204; fig. 2, items 200, 202, 204,

and 208);

Regarding **claim 10**, Henry discloses a method as recited in Claim 8 wherein said first

device

address and said second device address are IP addresses (column 8, lines 7-30;

column 9, lines 4-53).

Regarding **claim 11**, Henry discloses a method as recited in claim 8 wherein

said device address assignor is a DHCP server(column 10, lines 5-12).

Regarding **claim 12**, Henry discloses a method as recited in Claim 8 wherein said first

device

address is the same as said second device address(column 10, lines 5-12).

Regarding **claim 13**, Henry discloses a method as recited in Claim 8 wherein said first

device

address is a global device address(column 10, lines 5-45).

Regarding **claim 14**, Henry discloses a method as recited in Claim 8 wherein said

second device

address is a private device address (column 10, lines 5-45).

Regarding **claim 21**, Henry discloses aa intelligent data concentrator for performing

device address assigning functionality, said intelligent data concentrator

having a first device address, said intelligent data concentrator comprising:

a housing configured to be installed internally within a wall;

a first interface for communicatively coupling said intelligent data

concentrator to an Ethernet local area network (LAN);

a second interface for communicatively coupling said intelligent data

concentrator to a plurality of client devices such that each said client device

is communicatively coupled to said network, wherein said second interface

is external to and substantially planar with an external surface of the wall to

provide a plurality of communication ports, each communication port

providing the communicative coupling for one of the plurality of client

devices;

    a processor coupled to said first interface and said second interface;

and a device address assignor coupled to said processor for assigning a

second device address to said client device;

    wherein said first interface, said second interface, said processor and

said device address assignor are comprised within said housing (column 9, lines 4-53;

column 7, lines 33-46; lines 4-53 column 11, lines 3-25; fig. 2, items 202, and 204; fig. 2,

items 200, 202, 204, and 208);

Regarding **claim 22**, Henry discloses an intelligent data concentrator as recited in

 Claim 21 wherein said first device address and said second device address

 are IP addresses(column 8, lines 7-30; column 9, lines 4-53).

Regarding **claim 23**, Henry discloses an intelligent data concentrator as recited in

   Claim 21 wherein said device address assignor is a DHCP server(column 10, lines 5-

12).

   Regarding **claim 24**, Henry discloses an intelligent data concentrator as recited in

   Claim 21 wherein said first device address is the same as said second device

   address(column 10, lines 5-45).

Regarding **claim 25**, Henry discloses an intelligent data concentrator as recited in Claim

21 wherein said first device address is a global device address(column 10, lines 5-45).

Regarding **claim 26**, Henry discloses an intelligent data concentrator as recited in

Claim 21 wherein said second device address is a private device address(column 10,

lines 5-45).

Conclusion

6.   **THIS ACTION IS MADE NON-FINAL.** Any inquiry concerning this

communication or earlier communications from examiner should be directed to Jude

Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be

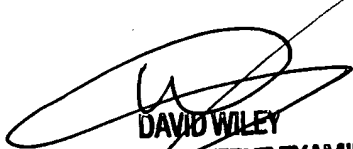reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (571) 272-

9000.

Jude Jean-Gilles

Patent Examiner

Art Unit 2143

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

JJG

November 09, 2006